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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: DJ. Krueger and E.J. Wagner

Serial No.: 10/699,618

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For: MOVABLE DISC IMPLANT

Attorney Docket No.: 5259-11300US01

Examiner: David J. Isabella

Group Art Unit: 3738

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Commissioner for Patents
P.O. Box 1450
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Kimberly A. Iorio 9/27/04
Kimberly A. Iorio Date

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The following is in response to the Restriction Requirement mailed July 26, 2004, in the above-identified application.

The Examiner has required restriction of the application to one of the groups of claims under 35 U.S.C. §121. Applicants respectfully elect the claims of Group II, (i.e., Claims 8-14, and 28-31), with traverse.

Additionally, Applicants reserve the right to file divisional applications in connection with the non-elected claims.

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR §1.16, as well as any patent application processing fees under 37 CFR §1.17 associated with this communication for which full payment had not been tendered, to Deposit Account No. 01-0025. A duplicate copy of this sheet is enclosed.

Should the Examiner have any questions concerning the above, he is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
DJ. Krueger and E.J. Wagner

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